

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 8:07CR-299  
                                  )  
Plaintiff, )  
                                  )  
v. ) OBJECTION TO REVISED  
                                  )  
PRESENTENCE REPORT AND  
HOMER T. CAVE, ) REQUEST FOR HEARING  
                                  )  
Defendant. )

Comes now the Defendant, Homer T. Cave, by and through his attorney of record, Ernest H. Addison, Jr., and in accordance with the general orders of this Court and hereby adopts the findings and recommendations in the subject Presentence Investigation Report with the following exceptions:

1. The Defendant objects to paragraph 18 and 28 of the PSR asserting the Defendant should not be held accountable for the enhancement based upon the number of images provided in the PSR. The Defendant believes the number is less than the 494 indicated in the report.
2. The Defendant objects the paragraph 25 and the two level enhancement based upon the allegation a prepubescent minor was involved who had yet to reach the age of twelve years.
3. The Defendant objects to paragraphs 32, 35 and 64 of the PSR and both the adjusted and total offense levels calculated therein.
4. The Defendant objects to paragraphs 71 and 74 of the PSR based on meritorious belief grounds exist to warrant a departure and/or variance herein pursuant to 5H1.3;5H1.11;5K2.0; and 18 U.S.C 3553 (a). The Defendant has filed concurrently a Motion for Downward Variance and/or Departure.
5. At this time, Defendant anticipates offering certain evidence at sentencing in opposition to the presentence report.

Dated this 27th day of May, 2008.

HOMER T. CAVE,  
Defendant,

s/ Ernest H. Addison Jr.  
Ernest H. Addison, Sr. #19765  
6842 Pacific St.  
Omaha, NE 68106  
(402) 558-0902

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of Court using the CM/ECF System which will send notification of the filing to Special Assistant United States Attorney, Michael P. Norris, 1620 Dodge Street, Omaha, Nebraska, on this 27th day of May, 2008.

s/ Ernest H. Addison Jr.  
Ernest H. Addison, Jr.